

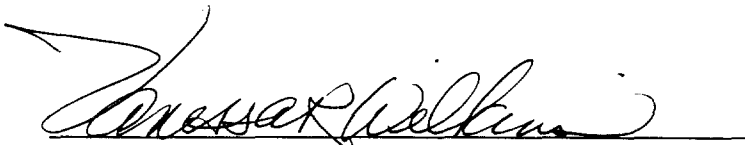
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FAA-99-5836-631

**Executive Order 12866**  
**Section 6(a)(3)(E) Requirements**

The requirements of section (6)(a)(3)(E) of Executive Order 12866 with respect to the attached NPRM concerning Repair Stations, RIN 2120-AC38 have been met in accordance with the following:

- ☐ The rulemaking document(s) was not reviewed by the Office of Information and Regulatory Affairs (OIRA).
- ☒ No substantive changes were made to the document(s) after they were submitted to OIRA.
- ☐ The required information is attached.

  
Signature

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Name

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January 29, 2003  
Date

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**Executive Order 12866**  
**Section 6(a)(3)(E) Requirements**

On January 12, 2002, the repair stations final rule cleared the Department of Transportation Office of the Secretary (OST) and was forwarded to the Office of Management and Budget (OMB). However, the FAA withdrew the rule in accordance with President Bush's Regulatory Review Plan. The plan ensured that President Bush's new appointees had an opportunity to review any new or pending regulations. In addition, it prescribed a schedule of dates when certain documents could be resubmitted to OMB. The final rule was placed on hold pending Secretarial approval for resubmission.

The FAA briefed OST on May 8, 2001. The affected industry began a letter writing campaign to the Secretary urging OST not to issue the final rule. Industry asserted that it opposed the FAA's original proposal and suggested that FAA publish a supplemental notice of proposed rulemaking (SNPRM). Also, the Department of State opposed a provision in the rule that would require foreign repair stations to demonstrate need for a U.S. repair station certificate. According to the State Department, the provision violated an international treaty. After much consideration, FAA and OST decided not to issue an SNPRM. Further, FAA and OST inserted language to address the State Department's concerns. On July 2, 2001, OST approved resubmission of the rule to OMB..

The final rule was forwarded to OMB on July 2, 2001. In light of the State Department's initial objection, OMB requested that FAA withdraw the rule. The FAA withdrew the rule for reconsideration and then resubmitted it to OMB. OMB rejected the rule, again asking that FAA reconsider the rule. FAA made no changes to the rule and resubmitted it to OMB. OMB approved the rule on July 30, 2001.